

RECOMMENDED CONDITIONS OF APPROVAL:

- (a) That the applicant receives final approval of Minor Variance application (HM/A-24:36), to reduce the required separation distance between the proposed facility and nearby residentially zoned properties from 300 metres to 270 metres, to the satisfaction of the Director of Planning and Chief Planner.
- (b) That the applicant applies for and receives final approval of a Site Plan Control application or receives a Site Plan Waiver Letter from the City's Planning Division, to the satisfaction of the Director of Heritage and Urban Design.
- (c) That a current copy of the Emergency Response Plan, Spills Containment and Contingency Plan, daily product inventory list, including product quantities and exact location within all facilities, along with the applicable Material Safety Data Sheets, be externally stored in a secure location (exterior lock box) on site in a manner such that all noted documents are readily available to Hamilton Emergency Services - Fire, 24 hours a day, 7 days a week, 365 days a year.
- (d) That storage and housekeeping practices must be in place to allow ease of access by emergency personnel such as Hamilton Fire and/or other first responders.
- (e) That a final version of the "Plan of Operations Liquid and Excess Soil Processing Site 354 Nash Road North, Hamilton ON" stamped by a professional engineer, be provided to the City of Hamilton, Superintendent, Environmental Monitoring and Enforcement, Public Works Department.
- (f) That the Owner obtain the City of Hamilton's Surcharge Discharge Permit and comply with the City of Hamilton's Sewer Use By-law No. 14-090.
- (g) That the Environmental Compliance Approval limit the maximum daily receipt of non-hazardous waste to a maximum rate of 200 tonnes per day, including aggregate and soil materials, and water.
- (h) That the Environmental Compliance Approval limit the maximum storage capacity to 1,000 tonnes of solids and 80 cubic metres of water.
- (i) That the proponent implements spills prevention on-site, and containment measures be included in the Environmental Compliance Approval.
- (j) That the Contingency Plans for spills on-site and clean-up procedures are covered under the Environmental Compliance Approval, and that the City's Spills phone number (905) 546-2489 is included in the company's on-site Contingency Plan. The Contingency Plan shall also deal with run-off water and from any fire-fighting activity from the operation and consider efforts to mitigate or eliminate materials and spill runoff from entering the catch basins from vehicle activity on

site. Secondary containment measures must be explored to reduce spill runoff. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton, and be submitted to the satisfaction of the Ministry of the Environment, Conservation and Parks.

- (k) That in case of any spills, the General Manager of the Operations must immediately contact the City of Hamilton’s Spills line at 905-546-2489.
- (l) That an effective odour / dust / noise mitigation control plan for day-to-day activities be implemented.
- (m) That the Owner establish a Fire Response Box providing up to date data and details (such as contents, amounts, locations, etc.) of all waste materials transferred and stored on site, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department.
- (n) That the Owner contact the Hamilton Fire Department’s Fire Prevention Division and schedule an inspection of the facility and that all violations identified as part of the inspection be resolved prior to approval, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department.
- (o) That the owner establishes a fire access route, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department.
- (p) That an inventory of waste types stored on-site should be updated daily, and be provided to the Ministry of the Environment, Conservation and Parks.
- (q) That waste shall not be accepted from the United States of America and / or any other Province or Territories.
- (r) That the proponent be required to provide financial assurance to the Ministry of the Environment, Conservation and Parks to cover final clean-up of the site, following the cessation of use.
- (s) That a Ministry of the Environment, Conservation and Parks staff person be identified to the City as the contact for all issues and complaints regarding the subject property.